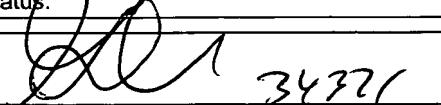


JC20 Rec'd PCT/PTO 24 AUG 2001

FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			016915-0244	
		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.8)		
INTERNATIONAL APPLICATION NO. PCT/EP00/00323		INTERNATIONAL FILING DATE January 17, 2000	PRIORITY DATE CLAIMED February 24, 1999	09/914270 Unassigned
TITLE OF INVENTION USE OF R-ARYL PROPIONIC ACIDS FOR PRODUCING MEDICAMENTS TO TREAT DISEASES IN HUMANS AND ANIMALS, WHEREBY SAID DISEASES CAN BE THERAPEUTICALLY INFLUENCED BY INHIBITING THE ACTIVATION OF NF- κ B				
APPLICANT(S) FOR DO/EO/US Gerd GEISSLINGER and Kay BRUNE				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>11. <input checked="" type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27 .</p>				
Items 12. to 17. below concern other document(s) or information included:				
<p>12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input checked="" type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> Other items or information:</p>				

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) Unassigned 09/914270		INTERNATIONAL APPLICATION NO. PCT/EP00/00323			ATTORNEY'S DOCKET NUMBER 016915-0244												
18. <input checked="" type="checkbox"/> The following fees are submitted: <table border="1"> <tr><td>Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....</td><td>\$860.00</td></tr> <tr><td>International preliminary examination fee paid to USPTO (37 CFR 1.482).....</td><td>\$690.00</td></tr> <tr><td>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)</td><td>\$710.00</td></tr> <tr><td>Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO</td><td>\$1,000.00</td></tr> <tr><td>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)</td><td>\$100.00</td></tr> </table> ENTER APPROPRIATE BASIC FEE AMOUNT = \$860.00								Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....	\$860.00	International preliminary examination fee paid to USPTO (37 CFR 1.482).....	\$690.00	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)	\$710.00	Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$1,000.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$100.00
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International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$100.00																
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e)) \$130.00																	
Claims	Number Filed	Included in Basic Fee	Extra Claims		Rate												
Total Claims	10	-	20	= 0	× \$18.00	\$0.00											
Independent Claims	2	-	3	= 0	× \$80.00	\$0.00											
Multiple dependent claim(s) (if applicable)					\$270.00												
TOTAL OF ABOVE CALCULATIONS =						\$990.00											
Reduction by ½ for filing by small entity, if applicable.						\$495.00											
SUBTOTAL =						\$495.00											
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f). +																	
TOTAL NATIONAL FEE =						\$495.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +																	
TOTAL FEES ENCLOSED =						\$495.00											
						Amount to be: refunded \$											
						charged \$											
a. <input checked="" type="checkbox"/>	A check in the amount of \$495.00 to cover the above fees is enclosed.																
b. <input type="checkbox"/>	Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed.																
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.																
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																	
SEND ALL CORRESPONDENCE TO:  <u>Glenn Law</u> Foley & Lardner Washington Harbour 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5109																	
SIGNATURE NAME <u>RICHARD L. SCHWAAB</u> X																	
REGISTRATION NUMBER 25,479																	

Applicant or Patentee: Gerd GEISSLINGER et al.

Serial or Patent No.: PCT/EP00/00323

Atty. Dkt. No. 016915/0244

Filed or Issued: January 17, 2000

For: USE OF R-ARYL PROPIONIC ACIDS FOR PRODUCING MEDICAMENTS TO TREAT DISEASES IN HUMANS AND ANIMALS, WHEREBY SAID DISEASES CAN BE THERAPEUTICALLY INFLUENCED BY INHIBITING THE ACTIVATION OF NF- κ B

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27) – SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: PAZ ARZNEIMITTEL-ENTWICKLUNGSGESELLSCHAFT
MBH

ADDRESS OF CONCERN: In der Schildwacht 13, D-65933 Frankfurt am Main
Federal Republic of Germany

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.27, for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled USE OF R-ARYL PROPIONIC ACIDS FOR PRODUCING MEDICAMENTS TO TREAT DISEASES IN HUMANS AND ANIMALS, WHEREBY SAID DISEASES CAN BE THERAPEUTICALLY INFLUENCED BY INHIBITING THE ACTIVATION OF NF- κ B by inventor(s) Gerd GEISSLINGER and Kay BRUNE described in

- the specification filed herewith
- application serial no. PCT/EP00/00323, filed January 17, 2000
- patent no. _____, issued _____

Serial No.: PCT/EP00/00

ATTORNEY DOCUMENT NO. 016915/0244

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3). * NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities: (37 CFR 1.27)

NAME: _____

ADDRESS: _____

(INDIVIDUAL (SMALL BUSINESS CONCERN (NONPROFIT CORPORATION

NAME: _____

ADDRESS: _____

(INDIVIDUAL (SMALL BUSINESS CONCERN (NONPROFIT CORPORATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.27).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: O. Schuster Dr. OHO Schuster

TITLE OF PERSON OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: D-65812 Bad Soden, Kelkheimer Str. 69, GermanySIGNATURE: O. Schuster DATE: 29/08/01